

REMARKS

Reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

By this Amendment, claim 1 has been amended, said amendment being supported by the as-filed specification.

The claims presently pending in the application are 1, 3-12 and 16.

Claims 1, 3-12 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rugmaker's Homestead Website: A Brief General History of Rag Rugs; Rugmaker's Homestead Website: #17: Loom Woven rag Rugs; and Rugmaker's Homestead Website: #19 Frame Woven, Twisted Warp and Twisted Weft Rugs. This rejection is respectfully traversed.

The Examiner's rejection, it is respectfully submitted, is based on a very general document, which, as the Examiner states, reports the "*story*" of loom woven rugs and concludes that the claimed invention is obvious in view of such a general document because "any known fabric strip, rag materials or waste materials from textile mills or household fabrics could be used as the warp or weft yarns in the woven rag fabric ..." (see page 3, lines 16-17).

It is respectfully submitted that the Examiner's own words provide the best proof that the presently claimed subject matter is actually unobvious. In fact, that if in the Examiner's opinion whatever materials are suitable for making rag, then the Examiner should also agree on the fact that no particular change in the property of the rag should be expected when changing the materials.

In other words, the references cited by the Examiner fail to identify or suggest any particular relationship between the type of fibers selected and the final properties which are imparted to the fabric and, therefore, the references miss the critical point on the basis

of which the inventiveness and unobviousness of the claimed subject matter must be judged.

As Applicant discloses at page 1, lines 4-6 and also at page 2, lines 11-13, the application deals with articles of non-woven fabric having particular application in the field of domestic cleaning and/or protection of surfaces.

One of ordinary skill in the art would not expect that by using the claimed materials he would obtain a final fabric having peculiar uniformity and/or increased grip between fabric and user, as well as between the fabric and the surface to be cleaned (see page 3, lines 1-2 of the specification), and is, therefore, particularly useful for the cleaning of domestic surfaces.

Applicant's recital of hydroentangled fibers in a weft and warp structure in amended claim 1, results, in fact, in a particularly soft but resistant fabric, which is easy to lay and handle, with high absorption capacity and easy to squeeze water therefrom, i.e. particularly adapted for the cleaning of domestic surfaces. The inclusion of only hydroentangled fibers in the claimed non-woven textile product cannot be said to have been obvious to one of ordinary skill in the art from the very generalized, unfocused disclosure of the prior art, which neither teaches, discloses nor even suggests the use of such type fibers or the benefits which accrue from their use in a non-woven textile product.

It is respectfully submitted that the claims distinguish over the teaching of the art and, accordingly, the § 103(a) rejection has been overcome and should be withdrawn since a *prima facie* case of obviousness has not been established.

The issuance of a Notice of Allowance is respectfully solicited.

Please charge any fees which may be due and which have not been submitted herewith to our Deposit Account No. 01-0035.

Respectfully submitted,

ABELMAN, FRAYNE & SCHWAB  
Attorneys for Applicant

By

  
\_\_\_\_\_  
Jay S. Cinnamon  
Attorney for Applicant  
Reg. No. 24,156

666 Third Avenue  
New York, NY 10017-5621  
Tel.: (212) 949-9022  
Fax: (212) 949-9190